

## § 23.21

and intended for use without restrictions, other than those shown to be necessary as a result of required flight tests.

(d) The commuter category is limited to propeller-driven, multiengine airplanes that have a seating configuration, excluding pilot seats, of 19 or less, and a maximum certificated takeoff weight of 19,000 pounds or less. The commuter category operation is limited to any maneuver incident to normal flying, stalls (except whip stalls), and steep turns, in which the angle of bank is not more than 60 degrees.

(e) Except for commuter category, airplanes may be type certificated in more than one category if the requirements of each requested category are met.

[Doc. No. 4080, 29 FR 17955, Dec. 18, 1964, as amended by Amdt. 23-4, 32 FR 5934, Apr. 14, 1967; Amdt. 23-34, 52 FR 1825, Jan. 15, 1987; 52 FR 34745, Sept. 14, 1987; Amdt. 23-50, 61 FR 5183, Feb. 9, 1996]

## Subpart B—Flight

### GENERAL

#### § 23.21 Proof of compliance.

(a) Each requirement of this subpart must be met at each appropriate combination of weight and center of gravity within the range of loading conditions for which certification is requested. This must be shown—

(1) By tests upon an airplane of the type for which certification is requested, or by calculations based on, and equal in accuracy to, the results of testing; and

(2) By systematic investigation of each probable combination of weight and center of gravity, if compliance cannot be reasonably inferred from combinations investigated.

(b) The following general tolerances are allowed during flight testing. However, greater tolerances may be allowed in particular tests:

Item	Tolerance
Weight .....	+5%, -10%.
Critical items affected by weight .....	+5%, -1%.
C.G .....	±7% total travel.

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#### § 23.23 Load distribution limits.

(a) Ranges of weights and centers of gravity within which the airplane may be safely operated must be established. If a weight and center of gravity combination is allowable only within certain lateral load distribution limits that could be inadvertently exceeded, these limits must be established for the corresponding weight and center of gravity combinations.

(b) The load distribution limits may not exceed any of the following:

- (1) The selected limits;
- (2) The limits at which the structure is proven; or
- (3) The limits at which compliance with each applicable flight requirement of this subpart is shown.

[Doc. No. 26269, 58 FR 42156, Aug. 6, 1993]

#### § 23.25 Weight limits.

(a) *Maximum weight.* The maximum weight is the highest weight at which compliance with each applicable requirement of this part (other than those complied with at the design landing weight) is shown. The maximum weight must be established so that it is—

- (1) Not more than the least of—
  - (i) The highest weight selected by the applicant; or
  - (ii) The design maximum weight, which is the highest weight at which compliance with each applicable structural loading condition of this part (other than those complied with at the design landing weight) is shown; or
  - (iii) The highest weight at which compliance with each applicable flight requirement is shown, and
- (2) Not less than the weight with—

(i) Each seat occupied, assuming a weight of 170 pounds for each occupant for normal and commuter category airplanes, and 190 pounds for utility and acrobatic category airplanes, except that seats other than pilot seats may be placarded for a lesser weight; and

- (A) Oil at full capacity, and
- (B) At least enough fuel for maximum continuous power operation of at least 30 minutes for day-VFR approved airplanes and at least 45 minutes for night-VFR and IFR approved airplanes; or